

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)	
)	
F. William Daugherty, et al.)	Examiner: Jeffrey D. Carlson
)	
Application No: 09/963,246)	Art Unit: 3622
)	
Filed: September 26, 2001)	Confirmation No: 8590
)	
For: SYSTEM AND METHOD FOR)	
FACILITATING INFORMATION)	
REQUESTS)	
)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Declaration of F. William Daugherty Under 37 C.F.R. § 1.131

F. William Daugherty declares:

1. I am an inventor of record of the above-cited Application for U.S. Patent and I understand that claims 1-10, 12, 17, 19-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Chamberlain, U.S. Patent Publication No.: 20030208369 (hereinafter, "Chamberlain") and that claims 11, 13-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chamberlain in view of Patterson. I further understand that the effective date of Chamberlain is September 8, 2000.
2. I completed the invention recited in claims 1-10, 12, 17, 19-20 of the present Application in this country prior to the effective date of Chamberlain by conceiving the invention prior to the effective date of Chamberlain.
3. I reduced the invention recited in claims 1-10, 12, 17, 19-20 to practice before the effective date of Chamberlain.

4. Attached as Exhibit 1 to this declaration is a copy of a document ““One Click Adverstising” Requirements” created by Daniel J. Fossner (“the document”).

Although I did not create the document, I am personally familiar with its creation and can therefore testify to its creation. A number of revisions were made to the document that was created on August 31, 2000. The revisions are listed on page 1 of the document and are not relevant to the invention. Furthermore, the revisions do not necessarily reflect the date that the inventors or iterations of the invention were made.

5. On page 1 of the document is shown that the invention was conceived on or before August 31, 2000. The invention was thus conceived prior to the effective date of Chamberlain.

6. The invention as represented in claim 1 can be explained with reference to Figure 3 of the present application and the figure on page 3 of the document, as follows:

A method for providing information to a user accessing a World Wide Web site, comprising:

serving an advertisement associated with a first World Wide Web site (see block 300), wherein said advertisement has a plurality of associated selectable options that are displayed when said advertisement is displayed (see blocks 312, 314 and 310), further wherein each of said plurality of selectable options has an associated information delivery process, wherein the associated information delivery process differs for each of said plurality of selectable options;

receiving user information associated with a selectable option (see blocks 332, 334 and 300);

receiving an indication of a user-selection of one of said plurality of selectable options associated with said advertisement (see blocks 312, 314 and 310);

providing information associated with said advertisement via said information delivery process associated with the selected one of

said plurality of selectable options to a location based on the user information (see blocks 352, 364 and 340).

Independent claim 17 includes the additional limitation of signing in, which is at block 326 and the corresponding block in the figure in the document.

7. On pages 8 and 9 of the document is shown a web site that was created before the effective date of Chamberlain.

I declare under penalty of perjury under the laws of the United States that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that all statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any Patent issuing thereof.

Executed this 18 day of November, 2009, at 100 Adams St. Rnd

.....


F. William Daugherty

EXHIBIT 1



"One-Click Advertising" Requirements

Created By: Daniel J. Fossner

Last Modified: 9/12/2000 12:07 PM

requirements overview

project name:	One-Click Advertising
description:	
create date:	8/31/2000 1:34 PM
contact info:	Daniel Fossner, x2017
requested release date:	October 2, 2000

revisions

	revised by	Date	description
revision 1:	Dan Fossner	9/5/2000	Removed "test" appendix
revision 2:	Dan Fossner	9/8/2000	Updated pop-up details and Technical Challenges section
revision 3:	Dan Fossner	9/12/2000	More details
revision 4:	Dan Fossner	9/13/2000	Detailed Campaign Types

people

	name	extension
owner:	Daniel Fossner	2017
sales liaison	Rachel McKinley	415-934-0784
development project manager:	Eric Osterweil	2057
production project manager:		
designer:	Donald Robinson	2012
producer:		
developer:		
dba:		

Others Involved:

- Tom Harrer
- Cara D'Amato
- Eric Esterlis
- Clive Marshall
- Kenneth Aponte

table of contents

<u>requirements overview</u>	1
<u>revisions</u>	1
<u>people</u>	1
<u>executive summary</u>	2
<u>user flow</u>	3
<u>new web page details</u>	4
<u>data transfer between iWon and it's partners (feeds)</u>	6
<u>marketing database</u>	6
<u>admin tool</u>	7
<u>new registration details</u>	7
<u>new entries (bones) details</u>	7
<u>important sales/sponsorship considerations</u>	7
<u>important legal considerations</u>	7
<u>traffic estimates</u>	7
<u>key technical challenges</u>	7
<u>appendix: graphic design/layouts/mockups</u>	8

executive summary

An opportunity exists to create a new type of advertising on the Internet. Because we have users' name, address, and email, we can deliver potential customers to advertisers with much greater efficiency than our competitors. "One-click" advertising is how we'll do it.

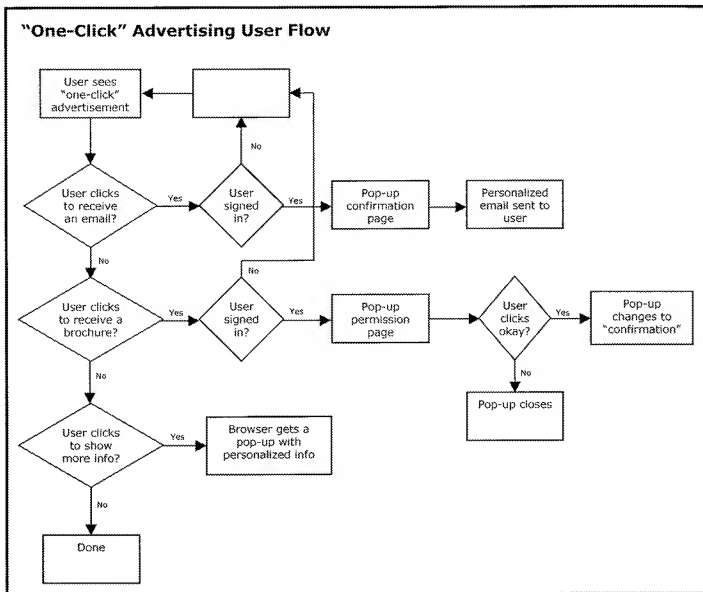
Users will see an advertisement on the right side of a Features page, that has some kind of graphic (likely animated). Below the advertisement will be a set of links:

- <Click here> Show me more information
- <Click here> Email me more information
- <Click here> Send me a brochure

The 1st link (show me more information) will not always appear, as we will be testing the effect of this link's presence on the click-through of the others. By clicking on either the graphic or the 1st link, the user will get a pop-up with some more information on the product/retailer, including some personalized information (e.g., the retailer/dealer nearest to the user's home address). It will also include a link to the advertiser's website. By clicking on the 2nd link, the user will see a pop-up confirming that an email has been sent to his/her email address. By clicking on the 3rd link, the user will be given a pop-up confirming that the advertiser will send the user information to his/her address of record.

The key benefit here is that we can target these unlike anyone else. Besides using Accipitor to target the ad so only certain users see it, we will personalize the email/brochure the user receives. For example, if the ad is for a Chevy Blazer, and the user clicks to receive an email, we will send an email with info about the truck and include the name and address of a Chevy dealer in or near the user's hometown.

On the back-end, we need to set up feeds to the sponsors to send them names and addresses of all users who request "physical" mailings. These will break out the names and address by the specific ad the user responded to. So, one user may have clicked through on a Chevy Camaro ad and another may have clicked through on a Chevy Blazer ad – both send the info to Chevrolet but the brochure the users get should be different.

user flow

new web page details

Email Confirmation Pop-Up

This will be a pop-up that confirms to the user that an email has been sent to his email address with information on the specific product requested (so that different users who saw different ads will see different pop-ups for different products). The text will say something to the effect of:

Thank you for requesting information on ProductA. You should receive an email in the next 24 hours with more information.

Here is the name and address of a retailer in your area:

Joe's Store
123 Main Street (at the corner of First Ave.)
Anytown, NY 11111

If you would like to review your profile, [click here](#). In accordance with the iWon Privacy Policy, your email address has not been provided to an outside entity. The email you will receive has been sent by iWon, not one of our sponsors. For more information, see the [iWon Privacy Policy](#).

[Click here](#) to close this window.

User Email

This will be customized for each advertiser and personalized for each user (with info for a local zip code or any other demographic by which we would like to target), but will in general look something like the following. Note that depending on the advertiser, there likely will be HTML emails as well as text-based emails. Also, once again, the email will be targeted based on specific product/retailer selected.

Dear <Name>,

Thank you for requesting information on ProductA.
.....
.....

To find out even more, be sure to visit:

Joe's Store
123 Main Street (at the corner of First Ave.)
Anytown, NY 11111

Thanks again, and be sure to come back to [iWon](#) every day!

Sincerely,
The iWon Team

Brochure Permission Pop-Up

This will be a pop-up that confirms that the user would like to give permission for us to share his/her personal information (name and address) with the advertiser. The user will have the choice to review his or her profile, and to grant or deny permission. Again, it will be targeted based on the product the user clicked-through on.

Thank you for your request to receive more information on ProductA. Please click below to agree to have CompanyA send you a brochure. By doing so, you are granting iWon permission to share with CompanyA your name and address only so they may send you information.

I agree. Please have CompanyA send me more information.

I decline.

If you would like to review your profile, [click here](#). In accordance with the iWon Privacy Policy, your address will only be provided to an outside entity with your permission. For more information, see the [iWon Privacy Policy](#).

[Click here](#) to close this window.

Brochure Confirmation Pop-Up

This is the pop-up users will see if they agree to receive a brochure. It is simply a new page within the previous pop-up. Had the user declined, the pop-up would simply have closed.

Thank you for requesting information on ProductA. You should receive a brochure within the next 5-7 days.

In the meantime, here is the name and address of a retailer near you:

Joe's Store
123 Main Street (at the corner of First Ave.)
Anytown, NY 11111

If you would like to review your profile, [click here](#). In accordance with the iWon Privacy Policy, your email address has not been provided to an outside entity. The email you will receive has been sent by iWon, not one of our sponsors. For more information, see the [iWon Privacy Policy](#).

[Click here](#) to close this window.

"Show More Info" Pop-Up

This will be a pop-up that gives the user more information on the product. Like the other pop-ups, it will be targeted to the specific user and based on the specific product. The text will say something to the effect of:

Thank you for requesting information on ProductA. It is a new, state of the art
.....
.....
.....
.....
.....

Here is the name and address of a retailer in your area:
Joe's Store
123 Main Street (at the corner of First Ave.)
Anytown, NY 11111

For more information, be sure to visit CompanyA's website at
www.companya.com/producta-info.htm

[Click here](#) to close this window.

data transfer between iWon and it's partners (feeds)

For any requests for brochures or other physical mailings, we will need to set up a daily feed to the sponsor. The type of feed will depend on the sponsor to which we are sending the information. It could be an ftp to the sponsor's company. It could be an email attachment. On any given day, there will be likely be no more than 20 sponsors, each with 20 different products, all for a total of less than 100,000 user profiles. The feed should break out the specific products that each user requested more info on.

From a reporting perspective, we will need to report to the advertiser impression and click-through data on the ads, the pop-ups and the emails. Since only the ad is being served and tracked by Accipiter, this will likely not be an easy thing to do, but we'll need to report this info to the sponsors. An integrated reporting tool needs to be built that pulls in the Accipiter reports, email results, and pop-up click-through information.

marketing database

We should track each day, and feed to the marketing database, the usernums of people who agreed to receive information from sponsors in any form:

- clicked through to see more info
- clicked through to the sponsor's site
- requested to receive email
- clicked through the email to the sponsor's site
- requested and agreed to receive a brochure

This should be tracked for each different advertiser and product advertisement using "one-click".

admin tool

The admin tool will be more complicated than for most ads, as it will need to include the ability input the text and HTML of an email, and a pop-up box. Also, we need to choose what the "click-here" components will be (i.e., some ads will have a click-through for more info, and some will have for only email or a brochure).

new registration details

User must be registered and signed in to receive any sponsor information. If a user is not signed in, he will be prompted to do so, and then redirected back to the page with the sponsor ad.

new entries (bones) details

There will be no entries awarded for clicking to receive an email or brochure. Clicking to receive more information (visiting the sponsor site) should have the same number of entries as clicking on a banner ad – 3 entries.

important sales/sponsorship considerations

Over time, Sales will require more customization. Some sponsors may want a "click-here to download a sample" or "click here to purchase a ticket". While we are starting with the limited functionality described earlier, the product needs to have the long term flexibility to handle different types of "one-clicks".

important legal considerations

We must be clear with the user that requesting a brochure requires iWon to share his/her personal information with an outside party.

traffic estimates

At peak, we can expect less than 20 different sponsors on the site with one-click advertising, each with as many as 20 different products or creatives running at a time, and an absolute maximum of 100,000 emails that would need to be sent in any 24 hour period.

key technical challenges

For the Chevy Blazer example, we will need to take our user's zip code and find the nearest dealer from the list we get from the sponsor. Clive Marshall is developing an application that will allow us to do this.

Also, we need to show the name/address of the retailer (if appropriate) nearest the user in the pop-up box. This may require an additional field (e.g., zipcode) in the user's cookie or a significant number of database lookups.

The pop-ups and emails will be targeted not only based on the individual user, but also based on the specific ad viewed and clicked on.

appendix: graphic design/layouts/mockups

Below is a mock-up from Donald Robinson of the Chevy Blazer example of a one-click ad:

☐ Web
 ☐ Stock Quotes
 ☐ Shopping
 ☐ MP3

BUY A CAR

Powered by

New Car Info

- > [Buy a New Car](#)
- > [Read the latest car reviews](#)

Get a price quote on a new car by make:

Make

Pre-Owned Car Info

- > [Search for a pre-owned auto](#)
- > [Check the value of a used car](#)

Find a great deal on a pre-owned car near you:

Make

Zip Code

SELL YOUR CAR

To sell your car fast, click below for helpful information:

- > [Sell your car](#)

Other resources:

- > [Kelley Blue Book values](#)
- > [Modify your ad](#)

Need Auto Insurance?
InsuranceConnection

Win 1 of 4
Classic Road

- > [Great deals on sporting goods](#)
- > [Auto insurance quotes online](#)

iwon 2011

Abstract

Provide advertisers with a seamless solution for getting their product/ information into the consumers hands.

Show Me More Info

Email Me More Info

Send Me A Brochure